



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,368	10/18/2000	Henry S. Marek	15-XD-5475	3507

7590

02/12/2004

Ronald H. Spuhler  
McAndrews, Held & Malloy, Ltd.  
34th Floor  
500 W. Madison Street  
Chicago, IL 60661

EXAMINER

FLORES SANCHEZ, OMAR

ART UNIT	PAPER NUMBER
----------	--------------

3724

16

DATE MAILED: 02/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/691,368

Applicant(s)

MAREK ET AL.

Examiner

Omar Flores-Sánchez

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 18 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1 and 3-16 is/are pending in the application.
- 4a) Of the above claim(s) 8-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is in response to applicant's amendment received on 9/18/03.

#### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5-7 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission a mounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: the separating device for separating the edge portions comprising the handle and the slotted plate. It is an important element because claim 5 is directed to remove the outer edge of the glass (claim 5, line 5) which is missing.

#### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over D. R. Corrado in view of Pick et al. (3, 601, 296).

Corrado discloses the invention substantially as claimed including a handle 10, a slotted plate 13 having an upper and lower panels, and a recess (Fig. 3). Corrado does not show a force

Art Unit: 3724

gauge. However, Pick teaches the use of force gauge 91-92 for the purpose of permitting accurate control force applied to the workpiece. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Corrado's device by providing the force gauge as taught by Pick in order to permit accurate control force applied to the workpiece.

6. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over D. R. Corrado in view of Pick et al. as applied to claim 1 above, and further in view of Kolycheck.

The modified device of Corrado discloses the invention substantially as claimed except for an electrostatic dissipative material. However, Kolycheck teaches the use of an electrostatic dissipative material for the purpose of controlling static charge buildup and dissipation. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Corrado's device by providing the an electrostatic dissipative material as taught by Kolycheck in order to obtain a total assembly environment to be constructed of partially conductive materials to control static charge buildup and dissipation.

7. Claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allaire in view of Turner (5,820,006) and IBM Technical Disclosure Bulletin (NN871262).

Allaire discloses the invention substantially as claimed including an inner working area 34 and an outer edge 44. Allaire doesn't show a layer of electrostatic dissipative material and a stage having channels. However, Turner teaches the use of a stage having channels for the purpose of holding the wafer and rotating to the desired position. It would have been obvious to

Art Unit: 3724

one having ordinary skill in the art at the time the invention was made to have modified Allaire's device by providing a stage having channels as taught by Turner in order to obtain a device to hold the panel and rotate the panel to the desired position without losing the alignment with respect to the stage.

Regarding the layer of electrostatic dissipative material, IBM Technical Disclosure Bulletin (NN871262) teaches the use of a layer of electrostatic dissipative material for the purpose of dissipating any electrostatic charge. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Allaire's device by providing the layer of electrostatic dissipative material as taught by IBM Technical Disclosure Bulletin (NN871262) in order to obtain a device to dissipate the electrostatic charge.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Allaire et al. in view of Turner (5,820,006) and IBM Technical Disclosure Bulletin (NN871262) as applied to claim 5 above, and further in view of Wilhite.

The modified device of Allaire discloses (Fig. 1-12) the invention substantially as claimed except for pins. However, Wilhite teaches the use of pins 1d for the purpose of locating the work at a desired distance. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Allaire's device by providing pins as taught by Wilhite in order to obtain a better accurate device to locate the work piece.

Art Unit: 3724

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kottmann et al., Urban et al., Regan and Bos are cited to show related device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Flores-Sánchez whose telephone number is 703-308-0167.

The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on 703-308-1082. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9302.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

ofs  
February 6, 2004

  
**Allan N. Shoap**  
**Supervisory Patent Examiner**  
**Group 3700**